IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.402 OF 2005

Gauri Prakash Karekar ..Petitioner

Vs.

Mr.Umesh Baburao Angarkhe
& Anr. ..Respondents

...
Mr. Abhijit Sarwade Advocate for Petitioner
Mr. V.B.Konde-Deshmukh, A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JULY 11,2005

P.C.

1. Heard the learned advocate for the Petitioner and the learned A.P.P. for the State.

2. The Petitioner is seeking quashing of process issued by the learned JMFC AC Court,Pune in C.C.No.7162 of 2004. In the said case process is issued under Section 138 of Negotiable Instruments Act.

3. For the reasons recorded in my order dated 13th June, 2005 in W.P.No. 213 of 2005 and dated 21st

June, 2005 in Cri.Application No.550 of 2005, the petitioner has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioner prefers a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the petitioner to prefer the necessary revision before the concerned Sessions Court. The learned advocate for the petitioner makes a statement that the necessary revision will be preferred within a period of four weeks from today. In view of this statement, ad-interim relief granted by this Court by order dated 19.4.2005 stands extended for a period of four weeks from today.

5. On the necessary revision being preferred by the petitioner before the concerned Sessions Court, the concerned Sessions Court shall dispose of the matter on merits after hearing the necessary parties.

6. Writ Petition is disposed of.

[V.K.TAHILRAMANI,J.]